

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12525 of Anthony J. and L.A. Anselmo, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 5102.41 to establish an auto repair garage in conjunction with an existing gasoline service station in the C-2-A District at the premises 5420 New Hampshire Avenue, N.W., (Square 3393, Lot 859).

HEARING DATE: November 16, 1977

DECISION DATE: November 16, 1977 (Bench Decision)

FINDINGS OF FACT:

1. The property is located at the corner of New Hampshire Avenue and Kennedy Street, N.W. and is located in a C-2-A District.

2. The applicant seeks permission to establish an automobile repair service in the same structure with an existing gasoline station.

3. The existing gas station has three stalls for service to automobiles. Of these three stalls, two are used as part of the gasoline station. The third stall is rented by the applicant to do mechanical repairs on automobiles.

4. The applicant testified that no transmission work and no body and fender work will be done.

5. The existing gasoline station has curb cuts on New Hampshire Avenue and Kennedy Street and has ten off-street parking spaces which are available for parking of cars to be serviced.

6. The applicant's hours of operation will be from 7:30 A.M. to 8:00 P.M. Monday through Friday and 7:30 A.M. to 6:00 P.M. on Saturday.

7. No additional access points or driveways will be necessary because of the additional activity on the gasoline station due to the proposed use.

8. The Municipal Planning Office prepared a report dated July 22, 1977 on Case No. 12461, which had previously requested approval of the repair garage but was dismissed because of notice problems. In that report, and by testimony at the hearing the MPO recommended approval of this application, on the grounds that the applicant will not adversely affect the neighboring and nearby properties or traffic conditions in the area.

9. The Department of Transportation, by report dated November 14, 1977, stated that it had reviewed the subject application and no adverse impacts have been identified.

10. Advisory Neighborhood Commission - 4D filed no report on this application.

11. There was no opposition to the application.

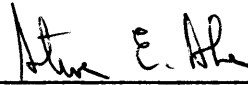
CONCLUSIONS OF LAW:

The Board is of the opinion that the proposed automobile repair service will have no adverse affect on neighboring properties or traffic conditions in that area. The Board concludes that the granting of the relief sought will be in harmony with the general purpose and intent of the zoning regulations and maps. Accordingly, it is ORDERED that the application is GRANTED subject to the condition that no transmission work or body repair work will be done on the premises.

VOTE: 5-0 (Charles R. Norris, Ruby B. McZier, William F. McIntosh Chloethiel Woodard Smith and Leonard L. McCants)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 28 DEC 1977

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.